City of Seattle
Edward B. Murray, Mayor

Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3018001

Applicant Name: Jay Janette, Skidmore Janette Architecture, for Chad Duncan

Address of Proposal: 836 NE 67th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 7-story structure containing 76 residential units. No parking proposed. Existing structure to be demolished.

The following approvals are required:

Design Review – Chapter 23.41 Seattle Municipal Code (SMC)
Development Standard Departure to encroach five feet into 15-foot required rear setback (SMC 23.45.518.B)
Development Standard Departure to allow projections into required side setback above 42 feet (SMC.45.518.H.3)

SEPA Environmental Determination – Chapter 25.05 SMC.

SEPA Determination: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND INFORMATION:

The proposed development site consists of two parcels, occupied by single-family structures, both facing onto NE 67th Street, and located mid-block between Roosevelt Avenue NE and 8th Avenue NE. Access to the site is from NE 67th Street only since there is no alley intervening between NE 67th Street and NE 68th Street. Pedestrian access is also from NE 67th Street only which has paved sidewalks on either side of the roadway. There are no mapped Environmentally Critical Areas located on the development site.

Until recently the street was made up of mostly single-family structures on either side, with some larger apartment buildings dating from the 1950s anchoring the east edge of the block that borders onto Roosevelt Way NE. Roosevelt High School lies one and a half blocks due east of

the site. A new residential development, substantially larger in size than anything else in the immediate area, is nearing completing at the 8th Avenue NE end of the block opposite the elevated portion of the I-5 freeway immediately to the west. The subject site is located approximately two blocks west of the proposed Roosevelt Light Rail Station, projected for completion in 2020.

The site totals approximately 6,174 square feet, and is zoned MR (0.75) with an 85-foot height limit. Sites north, west and east of the development site are also zoned MR (0.75). Directly to the south of the site, on the south side of NE 67th Street, the zoning is MR (1.2).

The topography of the block slopes from the northeast corner to the southwest corner some 45 feet, enunciating the contours of the basin that eventuates at the former Ravenna Creek where it once exited from Green Lake.

Project Proposal

The development objective for the site located at 836 NE 67th Street is to erect a seven story residential structure containing 76 units. As explained by the development team, the goal of the project is to provide workforce housing for those who will rely on transportation modes other than individual automobiles, within easy walking distance to and from the Roosevelt light rail station currently under construction. No parking for motorized vehicles will be provided on site.

In MR60 (.75) zones, extra residential floor area may be gained (according to SMC 23.45.576, and referencing Chapter 23.54 and Chapter 58A sections). The owner has voluntarily committed to provide affordable housing in order to gain additional residential floor area.

The project requires Design Review pursuant to SMC 23.41. There was one Early Design Guidance meeting before the Northeast Design Review Board, held on November 12, 2014, and one Recommendation Meeting, held on July 13, 2015.

Public Comment

The official extended public comment period for this proposal ended on November 3, 2014. The City received approximately three letters commenting on aspects of the proposal. Additional public comments were elicited at each of the Design Review meetings. Specific comments from those meetings are included under the Design Review analysis discussed below.

ANALYSIS – DESIGN REVIEW

Early Design Guidance Meeting –November 3, 2014

The EDG packet includes materials presented at the meeting, and is available online by entering the project number (**Error! Reference source not found.**) at this website: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packet for the meeting is also available to view in the file, by contacting the Public Resource Center at DPD:

Mailing Address: ***Public Resource Center***
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: *PRC@seattle.gov*

Architects' Presentation

The design team presented 3 schemes, each with pedestrian entries off NE 67th Street, internal garbage/recycling storage, internal bike storage and with internal circulation via a central double-loaded corridor. The schemes differed from one another primarily based on their entry location and sequencing, relationship to the ground plane, vertical distribution of the floors, and with schemes #2 and #3, a sliding of portions of the overall mass of the buildings to or away from the north and south property lines.

The first scheme, described as "Code compliant," had a symmetrical front with a central entry, with a rectangular mass of 8 stories equal in height, the first ,mostly below grade, and the top three set back slightly from the side lot lines. Scheme #1 boasted 85 residential units and provided a larger rear of building outdoor amenity space than did the other two. Since the scheme pushed the building lower into the site, it would require light wells of some depth to supply the basement units with light and air.

The second scheme had its entry generally centrally located, but with its massing divided into two more-or-less equal bars, the eastern one of which had been slid a few feet beyond the other, towards the rear lot line. The scheme would provide 81 residential units configured in 7 stories. As with Scheme #1, the first floor of residential units were pushed well below grade, while the upper portion above 42 feet in height consisted of only two stories, but with full height lofts on the sixth and seventh levels.

In its basic massing, Scheme #3 was a mirror image of the second scheme, with the western bar slid to the rear of the site to provide a more substantial entry court at the low corner of the site and open to the west. Significantly, this scheme would pull the lowest units up out of the site, providing them with more daylight than did the other two schemes. Also with seven stories, like Scheme #2, the proposal would provide larger volume for the units on the top two floors, but no full loft spaces. A brick frame element, capturing portions of the lower five floors, was said to anchor the structure.

Scheme #3 would require two departures, from SMC 23.45.518.H.3 and SMC 23.45.518.B. The latter departure would also be required by Scheme #2. (See "Development Standard Departures," below, p.8)

Public Comment

Some of the comments were related to the lack of parking and the size of units, issues over which the Board has no purview. One member of the community noted that each of the schemes had some appeal.

Early Design Guidance

The Board identified four area of focus for their deliberations: the basement units, the overall massing and exterior design, the building entry, and the requested departures.

Basement Units: It was noted by one of the Board members that basement units can be affordable and an important way to provide for a variety of workforce housing possibilities. But it was also noted that the lack of sunlight, especially for units located deep below grade, was a real design challenge. The Board members agreed that Scheme #3, which succeeded in lifting the lowest units substantially higher than the other schemes, was much preferable to the other schemes in this regard.

Overall Massing & Exterior Design: The massing and modulation offered in both schemes #2 and #3 were much preferable to scheme #1. One of the Board members noted that the decks shown on the front façade of scheme #2 added a great deal of texture and interest to the front façade and even suggested that, as common decks connected to the circulation spine, they would not only embolden the façade but enliven the overall tenant experience. While acknowledging that Scheme #3 showed the greatest success in overall massing, the Board did not respond favorably to the brick frame element. In proceeding with design development, the applicant was advised to look to elements of Scheme #2, notably the decks and the suggested materiality of the building, for elements that could enhance Scheme #3. The Board liked the way the vertical elements on scheme #3 knitted the upper and lower portions of the structure, and noted that terminating them below the top floor was a deft move in treatment of the scale of the building.

Entry: Having a clear relationship between the sidewalk and the building entry was of vital importance to the Board and the success of the proposal. There should be no intervening retaining wall and all physical obstructions should be avoided. Two to three steps would be acceptable. A point of discussion was whether the east of west half of the building should slide to the north to enhance the entry court and sense of arrival. While the relationship shown in the packets, with the east half forward of the west to show a court open to the west did enhance the relationship to the house just to the west and the configuration of the Mack Urban development also to the west, there was also merit in creating and visually enhancing the connection to Roosevelt Way NE and the path to and from the light rail station. The Board felt that the enhancement of either relationship had merit in orienting the entry courtyard.

DESIGN REVIEW GUIDELINES

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

CONTEXT & SITE

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-C Relationship to the Block

CS2-C-2. Mid-Block Sites: Look to the uses and scales of adjacent buildings for clues about how to design a mid-block building. Continue a strong street-edge and respond to datum lines of adjacent buildings at the first three floors.

CS2-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties.

CS2-D-3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development.

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

Roosevelt Supplemental Guidance:

CS2-III Height, Bulk, and Scale Compatibility

CS2-III-i. Commercial/Residential Zone Edges Map: Careful siting, building design and building massing at the upper levels should be used to achieve a sensitive transition between multifamily and commercial zones as well as mitigating height, bulk and scale impacts. Some of the techniques already identified in the citywide design guidelines are preferred in Roosevelt. These techniques include:

a. increasing building setbacks from the zone edge at ground level;
b. reducing the bulk of the building's upper floors;
c. reducing the height of the structure;
d. use of landscaping or other screening (such as a 5-foot landscape buffer).
e. Departures to development standards are encouraged in Roosevelt in order to create a positive transition along zone edges.

CS2-III-ii. Departures: If any of the 4 techniques listed above is employed, applicants and Board members are encouraged to consider specific departures to the development standards identified below in addition to those listed in the citywide design guidelines.

a. 64% coverage limit for the residential portion of mixed use buildings;
b. building height for all or some portions of the building;
c. required open space.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-2. Contemporary Design: Explore how contemporary designs can contribute to the development of attractive new forms and architectural styles; as expressed through use of new materials or other means.

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

PUBLIC LIFE

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-B Residential Edges

PL3-B-2. Ground-level Residential: Privacy and security issues are particularly important in buildings with ground-level housing, both at entries and where windows are located overlooking the street.

Roosevelt Supplemental Guidance:

PL3-II Transition Between Residence and Street

PL3-II-i. Entrances: Encourage the incorporation of separate ground-related entrances and private open spaces between the residence, adjacent properties, and street, especially for multifamily developments west of Roosevelt Way.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-B Planning Ahead for Bicyclists

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

PL4-C Planning Ahead For Transit

PL4-C-1. Influence on Project Design: Identify how a transit stop (planned or built) adjacent to or near the site may influence project design, provide opportunities for placemaking.

DESIGN CONCEPT

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs— considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

DC2-C Secondary Architectural Features

DC2-C-3. Fit With Neighboring Buildings: Use design elements to achieve a successful fit between a building and its neighbors.

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

DC2-D-2. Texture: Design the character of the building, as expressed in the form, scale, and materials, to strive for a fine-grained scale, or "texture," particularly at the street level and other areas where pedestrians predominate.

Roosevelt Supplemental Guidance:

DC3 Residential Open Space

DC3-I-i. Ground-related Common Open Space: The Roosevelt Neighborhood values places for residents to gather. For mixed use developments, provision of ground-related common open space areas in exchange for departures especially to the maximum residential coverage limit is encouraged, in addition to other allowable departures. Open space areas can also be achieved in a variety of ways including:

i. Terraces on sloping land to create level yard space

ii. Courtyards

iii. Front and/or rear yards

iv. Roof tops

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

DEVELOPMENT STANDARD DEPARTURES

The following Departures from development standards were requested:

1. ***SMC 23.45.518.B*** *(Separations and Setbacks): The Code requires a rear setback of 15 feet from rear lot line. The applicant proposes a five-foot encroachment into the setback where one half of the massing of the building slides back from the other.*

The Board indicated a strong wiliness to entertain the departure request.

2. ***SMC 23.45.518.H.3*** *(Separations & Setbacks): The Code requires that Bay Windows and other projections in the side setback above 42 feet in height can project a maximum of 2 feet into the setback. The applicant proposes a 1 ½ foot additional projection into the side setback above 42 feet.*

The Board indicated a strong willingness to entertain the departure request.

BOARD DIRECTION

- Minimize basement living units and window wells
- Pursue the overall massing indicated in Scheme #3, but seriously explore working into the design the decks and materiality shown in Scheme #2
- Provide a direct connection between the sidewalk grade and the entry and one free of physical obstructions
- While the Board is open to a massing shift that pushes back either the east or west half of the structure to provide an entry court, they would like to see evidence of a serious exploration into providing a visual connection between the entry courtyard and Roosevelt Way NE

At the conclusion of the Early Design Guidance Meeting, after identifying those Guidelines of particular and highest applicability to the proposal, the Design Review Board recommended (3-0) that the proposal proceed to design development and MUP application.

Recommendation Meeting –July 13, 2015

The Recommendation packet includes materials presented at the meeting, and is available online by entering the project number (3018001) at this website: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/defa ult.asp.

The packet is also available to view in the file, by contacting the Public Resource Center at DPD:

Mailing Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

Design Development

At the Early Design Guidance meeting on November 3, 2014, the design team had presented 3 schemes, each with pedestrian entries off NE 67th Street, internal garbage/recycling storage, internal bike storage and with internal circulation via a central double-loaded corridor. The schemes differed from one another primarily based on their entry location and sequencing, relationship to the ground plane, vertical distribution of the floors, and with schemes #2 and #3, a sliding of portions of the overall mass of the buildings to or away from the north and south property lines. The Board expressed concerns regarding the depth below grade of the basement units and the limitations of direct sunlight illuminating these units.

The scheme proposed at the Recommendation meeting reflected a modification of the third scheme, lifting the first level out of the ground plane while allowing for an entry that would be level with the sidewalk along NE 67th Street, another major concern expressed by the Board at the EDG meeting. It also incorporated elements of the second scheme from the EDG meeting, notably the front decks and suggested materiality of a more substantial brick treatment which the Board thought more promising than the brick frame of scheme 3. While the scheme proposed at the Recommendation meeting manifested the overall massing of scheme 3 from the

EDG meeting, including the eastern portion of the building pushed further south to create an entry court at the southwest corner of the site, the proposal removed the earlier frame element, did a better job of knitting the lower and upper elements of the structure together while the decks that had been a component of the second scheme served to provide a horizontal clasp across the front façade.

The newly proposed scheme would create a building entry that would be level with the sidewalk, a consideration of primary importance to the Board. The revised proposal would require two departures, from SMC 23.45.518.H.3 and SMC 23.45.518.B. (See "Development Standard Departures," below.)

Public Comment

Comments received by the Department were generally related to the lack of vehicular parking, the small size of the proposed units, issues over which the Board has no purview, and the way the proposed structure at 7 stories, was out of proportion to the existing older, single family structures in the area. One member of the community who spoke at the meeting requested that the Board consider how this structure would respond to other new development, in particular if the site directly to the west were to be developed. He noted, among other things, that the proposed use of brick was a welcomed element of the project and that he was in support of the departure for the brick at the southeast corner to extend into the required setback.

At the Early Design Guidance meeting the Board had identified four area of focus for their deliberations: the basement units, the overall massing and exterior design, the building entry, and the requested departures.

- Minimize basement living units and window wells
- Pursue the overall massing indicated in Scheme #3, but seriously explore working into the design the decks and materiality shown in Scheme #2
- Provide a direct connection between the sidewalk grade and the entry and one free of physical obstructions
- While the Board is open to a massing shift that pushes back either the east or west half of the structure to provide an entry court, they would like to see evidence of a serious exploration into providing a visual connection between the entry courtyard and Roosevelt Way NE

Basement Units: It was noted by one of the Board members that basement units can be affordable and an important way to provide for a variety of workforce housing possibilities. But it was also noted that the lack of sunlight, especially for units located deep below grade, was a real design challenge. The Board members agreed that the revised scheme had succeeded in lifting the lowest units substantially higher than had earlier been proposed.

Overall Massing & Exterior Design: The massing and modulation offered in both schemes #2 and #3 were much preferable to scheme #1. It had been noted that the decks shown on the front façade of scheme #2 added a great deal of texture and interest to the front façade. While acknowledging that Scheme #3 showed the greatest success in overall massing, the Board did not respond favorably to the brick frame element. In proceeding with design development, the applicant was advised to look to elements of Scheme #2, notably the decks and the suggested materiality of the building, for elements that could enhance Scheme #3. The Board liked the way

the vertical elements on scheme #3 knitted the upper and lower portions of the structure, and noted that terminating them below the top floor was a deft move in treatment of the scale of the building.

Entry: Having a clear relationship between the sidewalk and the building entry was of vital importance to the Board and the shifts in this regard were warmly received. In the revised scheme there would be no intervening retaining wall or other unwanted obstructions.

Visual Connection to Roosevelt Way NE: The strong brick element at the southeast corner of the proposal enhances the connection to Roosevelt Way NE and the path to and from the light rail station.

Additionally, the Board thought that the frontal position of the garbage and recycle storage space was good choice; the bike storage location was well thought out. There was some concern that the lobby space might require further activation. The outdoor amenity space at the northeast corner of the property would probably need further thought in terms of safety and comfort; some additional lighting, including bollard lighting was suggested, as was additional low-level lighting for security and safety along the east side of the structure.

The Board favored adding high windows that would admit light, and possibly air, to units facing both east and west on levels 6 and 7 where blank facades are currently shown. They would enliven the facades and the affected residents.

Possibly the most protracted of the Board's discussions was related to the balconies along the front, south-facing facade. At the EDG meeting one of the Board members had noted that the decks shown on the front façade of scheme #2 not only added a great deal of texture and interest to the front façade but, as common decks connected to the circulation spine, they would not only embolden the façade but enliven the overall tenant experience. They would encourage the conceptualization of the hall space as a true amenity space. Ideally they would be adjuncts to the hallway amenity on each of the corresponding floors. If not in that role, the question would arise, to whom do the balconies belong. It was generally thought that the balconies might function best, if not an adjunct to the hallway amenity, were they to belong to a single unit on each floor, with high windows provided for the adjoining unit that did not enjoy the use of the balconies. It was generally believed that dividers on the balconies would be a mistake. Should the balconies be left as private amenity areas, rules should be in place to prevent storage of bikes and BBQ grills, and a more solid railing system should be contemplated to obscure the sight of unwanted clutter.

DEVELOPMENT STANDARD DEPARTURES

The following Departures from development standards were requested:

1. ***SMC 23.45.518.B** (Separations and Setbacks): The Code requires a rear setback of 15 feet from rear lot line. The applicant proposes a five-foot encroachment into the setback where one half of the massing of the building slides back from the other.*

2. ***SMC 23.45.518.H.3** (Separations & Setbacks): The Code requires that Bay Windows and other projections in the side setback above 42 feet in height can project a maximum of 2 feet into the setback. The applicant proposes a 1 ½ foot additional projection into the side setback above 42 feet.*

The Board members agreed that the requested departures would enhance the project, enable a better massing of the building, and better meet the intent of the design guidelines. The Board recommended approval of the requested departures 5-0. They also recommended approval of the proposal, with conditions, 5-0.

RECOMMENDATIONS AND CONDITIONS

As conditions of their recommendations of approval, the Board specified the following:

- The dark brick should be bonded with a relatively dark mortar.
- Provide a high performance coating on metal elements to improve durability and maintain the integrity of the material.
- The horizontal lap siding shall have an exposure or reveal of 8 inches.
- Provide additional low-level security lighting at the NE corner amenity area and along the east façade.
- Provide high windows in the sleeping areas of the upper-level units.
- The south-facing decks should be either common amenity areas accessed from the hallways or single unit private amenities.

ANALYSIS & DECISION- DESIGN REVIEW

The design review process prescribed in Section 23.41.014F of the Seattle Municipal Code and describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board recommendation:

a. Reflects inconsistent applications of the design review guidelines; or
b. Exceeds the authority of the Design Review Board; or
c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or
e. Conflicts with the requirements of state or federal law.

Director's Analysis and Decision

Five members of the Design Review Board provided recommendations (listed above) to the Director and identified elements of the Design Guidelines that would be critical to the project's overall success. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made at the Recommendation meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project as presented at the July 13, 2015 meeting would result in a design that best meets the intent of the applicable Design Guidelines. Therefore, the Director accepts the Design Review Board's recommendations regarding the removal of the trees on site and their approval of the design, and **APPROVES the proposed design and the requested departures from development standards.**

Design Review Conditions

(See below.)

ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project exceeds the 12,000 square feet size threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant, dated January 5. 2015. The information in the checklist, supplemental documentation, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist which was submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SM C 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part, "*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,"* subject to some limitations.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and nonrenewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- Near-full site excavation for below-grade residential units and basement will produce excess soil to be removed from the site. The excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, and removal of debris and regulates obstruction of the pedestrian right-of-way.
- PSCAA regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Most short-term impacts are expected to be minor, and compliance with existing applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, traffic, circulation and parking, noise, and greenhouse gases is warranted.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

Construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 642 Cubic Yards of soils on site. Hauls routes must be approved in advance by SDOT and the project will be conditioned to ensure approved haul routes that will be included in the Contractor's Construction Management Plan.

A Geotechnical Report by Geotech Engineers, dated January 16, 2014, was submitted with this application and was reviewed and approved by DPD. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Traffic, Circulation and Parking

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The construction activities will require the removal of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips.

During demolition and construction, the existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material

to the top of the truck container) be provided in loaded uncovered trucks to minimize the amount of spilled material and dust from the truck bed travelling to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires and removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction, whenever possible.

To facilitate these efforts, a Construction Management Plan will be required as a condition of approval identifying construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases as approved by SDOT; and sidewalk and street closures with neighborhood notice and posting procedures.

Noise

Mitigation for construction impacts is subject to the SEPA Overview Policy. Construction activities are subject to the Noise Ordinance. Because of adjacent and nearby residential uses, construction on Sundays shall be prohibited. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 7pm and Saturdays from 9am to 6pm. Non-noisy activities, such as site security, monitoring, and providing emergency weather protection shall not be limited by this condition.

Greenhouse Gas Emissions

Construction activities, including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves, result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-Term Impacts — Use-Related Impacts

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (25.05.675.G) states that:

"…the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies…for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."

In addition, the Policy states that:

"A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated."

The proposed development would proceed according to Land Use Code standards for the proposed zone. The development as a whole will be in keeping with the scale of development anticipated by the goals and policies for the existing zoning and the Comprehensive Plan. In addition, in approving the project, the Design Review Board gave particular attention to the height, bulk and scale relationship of the proposal to its surroundings. There is no evidence that height, bulk and scale impacts have been inadequately mitigated through the Design Review Board process. Therefore, no mitigation of height, bulk and scale impacts is warranted pursuant to SEPA.

Traffic

According to the Transportation Impact Analysis (TIA) completed by the Transpogroup in January, 2015, and submitted by the applicant, the proposed development is estimated (for 2018) to generate 250 net new daily trips, with 20 new trips occurring during a weekday AM peak hour and 30 occurring during a PM peak hour. While these impacts may be adverse, they are not expected to be significant as they affect existing and future conditions. The project would meet the City's transportation concurrency requirements. No off-site mitigation measures would be required to offset the transportation related impacts of the project.

Parking

No parking would be provided for the proposed project. Per Seattle Municipal Code (SMC 23.54.015), there is no minimum parking requirement for the development as it is located within the Roosevelt Residential Urban Village. Furthermore, the project is located within easy walking distance of the Sound Transit light rail station now under construction between NE 65th and NE 67th Streets on 12th Avenue NE, a block and a half east of the subject development site. Currently King County Metro also currently operates two routes along Roosevelt Way NE, a principa1 arterial and minor transit street located a half a block to the east of the proposed project.

According to the Memorandum dated January 26, 2015, prepared by Transpogroup, a total peak parking demand of 65 vehicles is estimated for residential uses. This includes a demand of 53 vehicles for residents of the project and 12 associated with visitors. There is also one planned pipeline development in the vicinity, located at 6800 Roosevelt Way NE, which, while providing for adequate parking on site for its residents, had presumed to meet the demand for visitor parking (15 vehicles) as available on-street. Given that no parking is being proposed on-site for the subject proposal, an on-street parking utilization study was undertaken as part of the *Transpogroup* Memorandum which concluded that even with the pipeline project and the subject project there would still be a 2% on-street parking availability within 800 feet of the project and a 10% on-street availability within 1000 feet of the project.

As additional residential projects in the area are proposed, parking impacts, especially in the aggregate, could prove to be adverse, but there is no SEPA authority available to mitigate such parking impacts. Additionally, as the light rail extension project and station in Roosevelt just to

the east of the proposal comes on-line, additional transportation alternatives will be available for residents in the area. With such improvements to alternate mode access, combined with a scarcity of parking in the area, actual parking demands and related shortfalls may decrease.

Transportation Concurrency

The City of Seattle has implemented a Transportation Currency system to be in compliance with one of the requirements of the Washington State Growth Management Act (GMA). The system is designed to provide a mechanism for determining whether adequate transportation facilities and infrastructure are available "concurrent" with proposed development projects.

Analysis of screenlines closest to the project (screenlines 6.4 and 13.13), indicate that with traffic generated by the project, the screenlines would have vehicle/capacity (v/c) ratios that are less than the City v/c threshold, and thus the project would meet the City's concurrency requirements.

Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. Over the life of the project the total greenhouse gas emissions are expected to equal 114,833 MTCO2e. While these impacts are adverse, they are not expected to be significant.

DECISION — STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21 C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21 C.030(2)(c).

CONDITIONS-DESIGN REVIEW

Prior to MUP Issuance

1. *The applicant shall update the MUP plans to incorporate the Design Review Board's Conditions of Approval generated at the Recommendation Meeting of July 13, 2015, namely:*

    - *the dark brick should be bonded with a relatively dark mortar;*
    - *provide a high performance coating on metal elements to improve durability and maintain the integrity of the material;*
    - *the horizontal lap siding shall have an exposure or reveal of 8 inches;*
    - *provide additional low-level security lighting at the NE corner amenity area and along the east façade;*

- *provide high windows in the sleeping areas of the upper-level units;*
- *the south-facing decks should be either common amenity areas accessed from the hallways or single unit private amenities.*

CONDITIONS -SEPA

Prior to Issuance of Any Building Permits

2. *The applicant shall initiate coordination with SDOT regarding an allowed Truck Traffic Route to be reviewed and approved by SDOT prior to issuance of any construction permits. Contact Don Smith at SDOT for all requirements needed for SDOT review (206-684-5125).*

3. *The applicant shall provide for DPD approval a* Construction Management Plan *which shall include anticipated hours of construction, any anticipated street, alley or sidewalk closers, details of SDOT approved hours and truck access routes to and from the site, efforts at noise attenuation, contractor contact information for neighbors to the project, as well as other pertinent information regarding the projected course of construction.*

During Construction

4. *Construction on Sundays shall be prohibited. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 7pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.*

Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

Date: December 14, 2015

MMD:rgc
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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.